

### **REMARKS**

Claims 1-24 are pending in the application. Claims 1, 7, 13, and 19 are the only independent claims. Claims 1 and 7 have been amended to improve their form, without narrowing their scope.<sup>1</sup> Favorable reconsideration is respectfully requested.

Claims 1, 2, 4-8, 10-14, 16-20, and 22-24 were rejected under 35 U.S.C. § 102(b) over U.S. Patent Publication No. 2002/0047916 ("Miyagi"). Claims 3, 9, 15 and 21 were rejected under 35 U.S.C. § 103 over Miyagi in view of U.S. Patent Publication No. 2001/0032335 (Jones). Applicants respectfully traverse.

Independent claim 1 includes "a storage server for storing a message of video and/or audio contents sent from said information terminal to said network in response to the data distributed from said distribution server while said information terminal is being connected to said network." This limitation is not disclosed or suggested by Miyagi.

First, at page 3 of the Office Action, paragraphs [0035], [0025] and claims 7, 8, 10, and 11 in Miyagi are once again cited as allegedly reading on the claimed storage server. Taking the teachings of paragraph [0035] of Miyagi first, that paragraph discloses

"[a] controller microcomputer 16 controls transfer of image data between the blocks. In the above description, compressed image data is recorded in the memory card 18. The system configuration may use removable built-in nonvolatile memory for storing compressed image data."

This cited portion of Miyagi has nothing whatsoever to do with a storage server, as part of a network or otherwise. As was pointed out in the previous response, this paragraph is simply a description of how image data is transferred between the internal components of digital camera 2, in Figure 2 of Miyagi. This portion of Miyagi contains no teaching whatsoever of the claimed storage server. In spite of the fact that this was pointed out with specificity in the previous response, this portion was again cited in the Office Action as corresponding to the storage server.

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<sup>1</sup> In fact, the amendments broaden the scope of the claims.

Paragraph [0025] was also again cited, at page 3 of the Office Action, as allegedly teaching the claimed storage server. However, as was pointed out in the previous response, paragraph [0025] contains no teaching of a “storage server,” still less one as recited in claim 1.

Claims 7, 8, 10, and 11 of Miyagi were also again cited as allegedly corresponding to the claim storage server. Claim 7 recites “an image storage server connected to said wired network, wherein said selected amount of image data is output from said image pickup apparatus to said image storage server.”

Claim 7 merely recites an “image storage server” to which a selected amount of “image data” from an image *pickup* is output. It neither teaches nor suggests a storage server for storing an audio/video message that is sent from the information terminal *in response to the audio/video data received by the information terminal from a distribution server*, as required by claim 1. Claims 8, 10, and 11 of Miyagi also fail to disclose the storage server of claim 1.

In the Response to Arguments, beginning at page 17 of the Office Action, a different rationale is provided in attempting to meet the storage server limitation of claim 1. In this portion of the Office Action, the position was taken that the recited storage server is met by the fact that video data from information terminals in Miyagi is stored in the image distribution server. Moreover, the Office Action states that “claims 7, 8, 10 and 11 disclose an image (video) storage server which can be used as an add-on to the disclosed system for storage of video data.” Page 18 of Office Action.

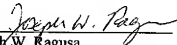
However, even if the image storage server of claims 7, 8, 10 and 11 were to be added to the image distribution server of Miyagi, the combined elements would still not meet all the limitations of the storage server of claim 1, at least because none of those portions of Miyagi teach or suggest a storage server that stores a message of video/audio contents sent from the information terminal *in response to audio and/or video data that has been distributed to the information terminal from the distribution server*. Thus, in the Response to Arguments portion of the Office Action, as well as in the main body of the Office Action, no prima facie showing of anticipation has

been set forth against claim 1. Independent claims 7, 13 and 19 recite similar features and are believed patentable for substantially similar reasons.

The other claims depend from one or another of the independent claims discussed above and are therefore allowable for at least the reasons discussed above. In view of the above, Applicants believes the pending application is in condition for allowance.

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Respectfully submitted,

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